

1 BILL NO. Z-84-04-06 (AS AMENDED)

2 ZONING MAP ORDINANCE NO. Z-

08-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. J-27.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated an R-3 (Multiple Family Residential) District under the
9 terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

10 The West 95 feet of Lot 55 in Liberty Gardens Addition;
11 and the symbols of the City of Fort Wayne Zoning Map No. J-27, as established
12 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
13 are hereby changed accordingly.

14 SECTION 2. That this Ordinance shall be in full force and
15 effect from and after its passage and approval by the Mayor.

16
17 _____
18 COUNCILMEMBER

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20 APPROVED AS TO FORM AND LEGALITY:

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23 _____
24 BRUCE O. BOXBERGER, CITY ATTORNEY

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FOX RIVER BOND
25% COTTON

BILL NO. Z-84-04-06

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-27.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated
a B-3-B (General Business) District under the terms of Chapter 33 of the
Code of the City of Fort Wayne, Indiana of 1974:

The West 95 feet of Lot 55 in Liberty Gardens Addition;
and the symbols of the City of Fort Wayne Zoning Map No. J-27, as established
by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stee, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 4-10-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stee, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>2</u>	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 5-15-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-08-84 on the 15th day of May, 1984,

ATTEST: (SEAL)
Sandra E. Kennedy Ray A. Ebert
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of May, 1984, at the hour of 11:30 o'clock A M., E.S.T.
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of May, 1984, at the hour of 10 o'clock A M., E.S.T.
Win Moses, Jr.
WIN MOSES, JR., MAYOR

THIS IS TO BE FILED IN DUPLICATE

DATE FILED

INTENDED USE

/We William & Eleanor Herman
(Applicant's Name or Names)

o hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
ndiana, by reclassifying from a/an R-1 District to a/an B-3-B
istrict the property described as follows:

(Legal Description) If additional space is needed, use reverse side.

WEST 95 FT OF LOT 55
LIBERTY GARDENS APP.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

<u>William Herman</u>	<u>7019 HEATHERTON</u>	<u>William Herman</u>
<u>Eleanor L Herman</u>	<u>7019 Heatherton Dr.</u>	<u>Eleanor L Herman</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the
ordinance be taken under advisement shall be filed in writing and be submitted
to the City Plan Commission prior to the legal notice pertaining to the ordina
being sent to the newspaper for legal publication. If the request for deferra
continuance or request that ordinances be taken under advisement is received
prior to the publication of the legal ad being published the head of the Plan
Commission staff shall not put the matter on the agenda for the meeting at whi
it was to be considered. The Plan Commission staff will not accept request
from petitioners for deferrals, continuances, withdrawals, or requests that an
ordinance be taken under advisement, after the legal notice of said ordinance
is forwarded to the newspaper for legal publication but shall schedule the mat
for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>same</u>		
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street
Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hear
approximately ten (10) days prior to the meeting.

J-27

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 10, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-04-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1984;

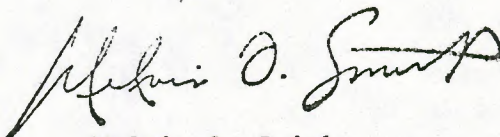
NOW THEREFORE BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1984.

Certified and signed this
24th day of April 1984.



Melvin O. Smith
Secretary

*Liberty Gardens
B3B Not Given*

BILL NO. Z-84-04-06 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. J-27

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG. LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

MARK E. GIAQUINTA

JAMES S. STIER

Janet G. Bradbury
Samuel J. Talarico

Charles B. Redd

Mark E. Giaquinta

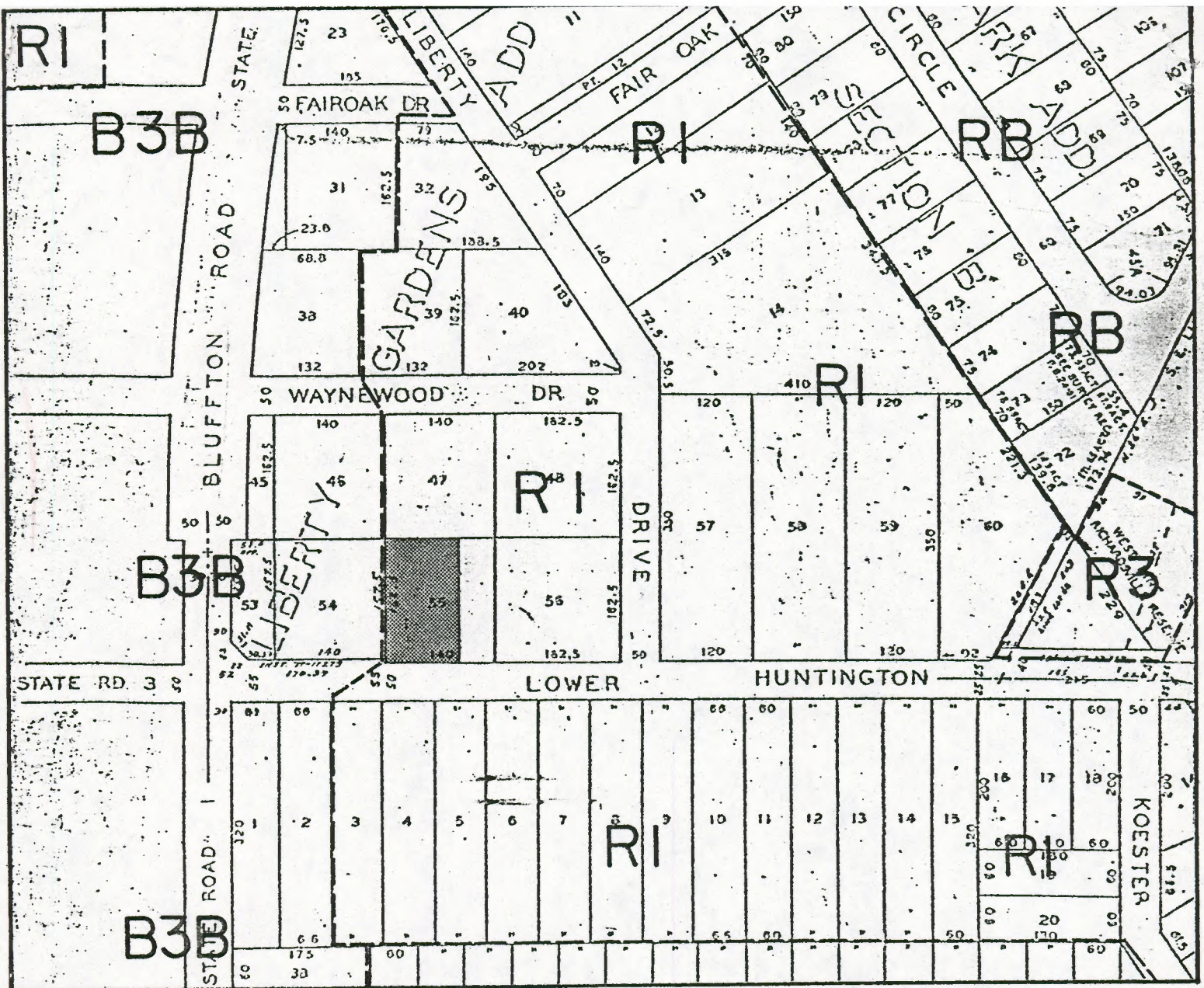
RECEIPT



No 10646

COMMUNITY DEVELOPMENT & PLANNING

WAYNE, IND., March 7 1984RECEIVED FROM William Herman \$ 50⁰⁰SUM OF Fifty Dollars 100 DOLLARSACCOUNT OF Reopening Filing Fee Feb 55
Hilly Gardens Add.Gary Becton

AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY
RECLASSIFYING DESCRIBED PROPERTY FROM 

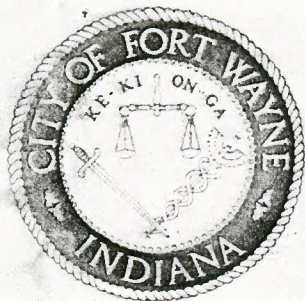
PERFECTED FROM AN R-1 TO AN R-3

MAP NO. J-27

Z-84-04-06



3-7-84



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

24 April 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 23, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-04-06
2. From R-1 to B-3-B
3. Intended Use: Not Given
4. Plan Commission Recommendation: DO PASS - Perfect to an R-3 from original request of R-1 to B-3-B

This ordinance received a DO PASS recommendation for the following reason:

REASON: If this use is reduced to an R-3 the use or value of the property adjacent to the property included in this rezoning will not be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

TITLE OF ORDINANCE Zoning Ordinance AmendmentDEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&PSYNOPSIS OF ORDINANCE West 95 feet of Lot 55 in Liberty Gardens Addition.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential. Property
will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____